together with my seal/ have set my hand and seal / to wit / my hand to the bottom of the three first sheets thereof and my hand and seal to this the fourth and last sheet thereof this first day of January one thousand eight hundred and twenty four Peter McLean Sen.r (LS) Signed sealed published and declared by the said Peter McLean the Testator as and for his last Will and Testament in the presence of us the word "three" in the last line of this sheet having been first erased and the word four substituted Robt. Suter Greenwich / Reg.d Beams his Clerk.

Proved at London 2nd November 1827 before the worshipful John Daubeny Doctor of Laws and Surrogate by the Oath of Richard McLean the Son one of the Executors to whom Admon was granted having been first sworn duly to Administer Power reserved to Jane McLean Widow the Relict and William McLean the Son also the other Executors.

Alexander Murray MacGregor Esquire 60

At Edinburgh the fourth day of September eighteen hundred and twenty seven years In presence of the Lords of Council and Session Compeared Thomas Thomson Esquire Advocate Procurator for Colonel Alexander Murray MacGregor after designed and gave in the trust disposition and settlement under ~~designed~~ written to be registered in the books of Council and Session conform to Law which the said Lords ordained to be done accordingly and whereof the tenor follows I Colonel Alexander (Murray) MacGregor late Commandant of Point de Galle in the Island of ~~Ceylon~~ Ceylon now of Trinity Lodge in the County of Edinburgh Considering that by Contract of Marriage dated the nineteenth day of May eighteen hundred and ten entered into between me and the Right Honourable Lady Charlotte Anne Sinclair second daughter of the Right Honourable James Earl of Caithness now my Spouse with consent therein mentioned certain provisions were stipulated in favor of the said Lady Charlotte Anne Sinclair and the issue of our marriage and that I am now desirous to increase the said provisions and to regulate the succession to my estate and effects in the most advantageous manner for the benefit of my family after my decease and having full confidence in the persons after named for executing the trust herein after reposed in them Therefore I do hereby give grant assign and dispone from me and my heirs and successors to and in favor of the said Lady Charlotte Anne Murray MacGregor my Spouse in case she shall happen to survive me Alexander Augustus Murray MacGregor my eldest son whom failing my eldest son for the time being on his attaining twenty one years of age Lieutenant General Sir Evan John Murray MacGregor of MacGregor Baronet my Cousin German the Right Honble Alexander Lord Berriedale eldest son of the said James Earl of Caithness whom failing the eldest surviving brother of the said Lady Charlotte Anne Murray MacGregor for the time being and Lieutenant Colonel John Alexander Paul MacGregor of the Honble East India Companys Service Deputy Military Auditor General in Bengal and to such other person or persons as they shall assume by virtue of the powers hereinafter given to them and to the survivors or survivor acceptor or acceptors of them the major part accepting and surviving at the time being always a quorum as Trustees for the ends uses and purposes after mentioned and their assignees heritably and irredeemably all and sundry lands and heritages debts heritable and moveable Stock in the public funds Bank Stock heirship moveables and whole goods sums of money and effects and in general my whole means and estate heritable and moveable of whatever nature or denomination or wherever situated presently belonging or which shall belong to me at the time of my decease with the whole vouchers instructions and conveyances of the said debts and the writs and evidents of my heritable Estates and particularly without prejudice of the said generality the reversionary right and interest devised and which belonged to my late Father Colonel Alexander MacGregor Murray of Napier Rustic under the will of my deceased Uncle Lieutenant Colonel Peter Murray late Adjutant General of the East India Companys Army in Bengal and which was assigned and disponed by my said deceased Father to me conform to general disposition and Settlement executed by him in my favor dated the eighth day of September eighteen hundred and six and registered in the books of Session the eighth day of July eighteen hundred and twenty two as also all and whole those parts and portions of the Lands called Trinity Mains particularly after described viz all and whole that part of that piece of Ground called Partridge-bush and Bank lying to the westward ~~lying to the westward~~ of the New Road of Communication from the Kings highway to the South of that part of Trinity Mains called Banghams Park to the Sea side all and whole the Lands called Pit-Maryburn and Wilsons Lands all and haill the Brae lying and being between Pit-Maryburn and Wilsons Lands and the Lands called the Sea side Park as also all and haill the foresaid Lands called the Sea Side Park which haill Lands are bounded as follows viz by the Lands of Inverleith on the West the remaining part of the said Lands of Trinity Mains disponed by Alexander Smith Younger Baxter in Edinburgh to John Neal Merchant in Edinburgh from which the same is divided by the foresaid Road lately opened leading from the Kings highway on the South of Banghams Park to the Sea side on the East the said Lands called Banghams Park now comprehending one Rood and eight falls of Grounds given off from the aforesaid Lands of Partridge Bush and Bank and confined within the North inclosure of that ~~inclosure~~ Park on the South and the highroad leading from Cramond to Newhaven on the North lying formerly within the Parish of Saint Cuthberts or West Kirk but now by annexation within the Parish of North Leith and Sheriffdom of Edinburgh which several pieces of Ground above mentioned together with those disponed by the said Alexander Smith Younger to the said John Neal comprehend the whole subjects contained in the Contract entered into betwixt the Masters of the Trinity House of ~~at~~ Leith and the deceased Alexander Smith Elder Father of the above mentioned Alexander Smith Younger dated the ninth day of October seventeen hundred and sixty six and recorded in the Burgh Court Books of Edinburgh the twenty sixth day of November seventeen hundred and twenty four and no more together with the whole houses dykes ditches hedges and planting in and upon the Ground hereby disponed and whole privileges and pertinents thereto belonging but excepting always from the Premises hereby disponed the foresaid Rood and eight falls of ground of the said Lands of Partridge-bush and Bank which were given off to the said John Neal and comprehended within the said Inclosure called Banghams Park as also all and whole that Dwellinghouse on the North side of George Street consisting of four Stories and Garrets of thirty feet in front with the Cellars thereto belonging and whole other pertinents of the said dwelling house being the Wester of those two lodgings or dwelling houses built by Adam and Thomas Russell Masons in Edinburgh on a piece of Ground measuring fifty seven feet six inches in front of part of two Lots purchased by them from the Lord Provost and Magistrates of Edinburgh as proprietors thereof and marked on the Feuing Plan Letters C and B lying on the North side of George Street and bounded as follows viz on the East by the Ground feued to Andrew Neal Mason in Edinburgh on the West by the Ground feued to James Nisbet Plasterer in Edinburgh on the South by George Street and on the North by a Lane with the Cellarage now made in the front of said lodgings and Communication with the Common Sewers and which Dwellinghouse is now bounded on the East by the said other Dwellinghouse built by the said Adam and Thomas Russell and disponed by them to William Macleod Bannatyne of Bannatyne Esquire Advocate on the West by a Dwelling house built by the said James Nisbet and sometime occupied by the Earl of Balcarres on the South by George Street and on the North by a Lane with the Cellarage now made in the front of the said lodging or dwelling house and Communication with the Common Sewers which dwelling house lies within the Parish of Saint Andrew Royalty and Sheriffdom of Edinburgh As also all and whole that piece of Stable Ground lying in the Mews Lane on the North side of Young Street with the Dwellinghouse Coachhouse and Stable built thereon measuring twenty seven feet six inches long after the usual deduction of the Lot letter L bounded as follows viz on the East by a house built by Mess.rs Peacock and

Neil

Reference:- PUBLIC RECORD OFFICE 1 2 3 4 5 6

Rice builders on the South ~~Ea~~ by Young Street on the West by the Property of Mrs Reddall and on the North by the Stone Lane all lying within the Parish of Saint Andrews Royalty and Sheriffdom of Edinburgh together with all right title and interest claim of Right Property and possession Petitory or possessory which I ~~am~~ have or can pretend to the said several subjects or any part or portion thereof as also without prejudice to the said ~~property~~ Generality the effects and Sums of money which may be contained in any inventory made up and subscribed by me as relative to these presents which shall be as effectual to exclude the necessity of confirmation as if every particular thereof were herein inserted and I hereby bind and oblige me and my heirs and successors to grant all necessary deeds in favor of my said Trustees and the acceptors or acceptor survivors or survivor of them for implementing and fulfilling the above general disposition and I do hereby nominate constitute and appoint my said trustees and the acceptors or acceptor survivors or survivor of them to be my sole Executors and Intromitters with my moveable means and estate but declaring that these presents are granted in Trust always for the ends uses and purposes after mentioned viz in the first place for payment of all my just and lawful debts and funeral Charges and of any gifts or legacies which I may leave by a writing under my hand whether formal or not at any time of my life in the second place for payment to the said Lady Charlotte Anne Murray MacGregor at the first term of Whitsunday or Martinmas after my decease in case she shall happen to survive me of the sum of two thousand five hundred pounds sterling to enable the said Lady Charlotte Anne Murray MacGregor to purchase a suitable house for herself with one fifth part more of penalty in case of failure and the legal interest of the said principal sum from the said term of payment during the nonpayment thereof And I appoint ~~the~~ my said Trustees to deliver to the said Lady Charlotte Anne Murray MacGregor in case she shall happen to survive me my whole bed and table linen of every description together with certain articles of silver plate to be enumerated and contained in an inventory thereof subscribed or to be subscribed by me as relative hereto which bed and Table linen and silver plate shall be and the same are hereby placed at the absolute disposal of the said Lady Charlotte Anne Murray MacGregor in the third and last place for the purpose of dividing the whole free residue of my Estate heritable and moveable into equal shares whereof two shall belong and be payable to my beloved wife the said Lady Charlotte Anne Murray MacGregor in case she shall happen to survive me in life rent during her widowhood allenarly and one to each of the Children already procreated or that may yet be procreated of my body and the survivors and survivor of the said Children or the lawful issue of any of them that may be dead such issue always counting as one in place of the deceased parent which provisions in favor of the said Lady Charlotte Anne Murray MacGregor are granted to her in addition to the annuity or jointure and other provisions in her favor contained in our said Contract of marriage but declaring as it is hereby expressly provided and declared that in case the income arising from the said two shares of my Estate with the Annuity or jointure provided for the said Lady Charlotte Anne Murray MacGregor by our said Contract of marriage and any pension which she may receive from Government and any other Annuity to which she may become entitled and which she may actually receive as my widow shall at any time amount together to more than the annual sum of eight hundred pounds Sterling then and in case the said two shares of my estate shall be limited and restricted to such a sum as when added to the said Annuity + shall not exceed in whole the + or jointure pension
said annual sum of eight hundred pounds Sterling it being my intention that and other Annuity
the annual income which the said Lady Charlotte Anne Murray MacGregor shall enjoy through her marriage with me may eventually amount to but in no case exceed the said sum of eight hundred pounds Sterling And declaring that any excess of the said two shares of my estate arising in consequence of the above limitation and restriction shall accresce and belong to my said Children equally among them and the survivors or survivor of them and their issue as

aforesaid And further declaring as it is hereby provided and declared that if
the said Lady Charlotte Anne Murray Macgregor shall at any time enter into
a second marriage the said liferent Annuity hereby provided to her shall from
and after the date of such marriage cease and determine in the said manner as if
this Deed had never been made and in that event or in the event of the decease
of the said Lady Charlotte Anne Murray Macgregor the same two shares of my estate
provided to her in life rent during her widowhood as aforesaid shall from thenceforth
pertain and belong to and be divided equally as a part of the residue of my Estate
among my Children and the survivors and survivor of them and the lawful issue
of any of them that may be dead such issue always counting as one in place
of the deceased parent and which shares of the free residue of my estate Provided
to my said Children and their Issue as aforesaid shall be divided distributed or
conveyed at my death to such of my said Children or their Issue as shall then
be married or shall have attained the age of twenty one years complete and to
such of them as shall be then unmarried and shall not have attained the said
Age at their respectively attaining the said age or their respective marriages whichever
of these events shall first happen the interest dividends or profits of each share or
so much thereof as my said Trustees may think necessary being applied in the
mean time towards the maintenance clothing and education of my said Children
or their Issue and the remainder of such Interest dividends or profits of any being
accumulated for their behoof but with power to my said Trustees and the survivors
or survivor of them in every case at any time to advance such sum or sums
as they shall judge fit and proper in part of the Capital of any of the said shares
for putting any of my said Children or their Issue into business purchasing Commissions
for them in the Army or otherwise fitting them out in the world Provided
always as it is hereby expressly provided and declared that my said Trustees shall
have full power and authority to postpone the division or distribution of the
Capital of the said shares of my estate and Effects among my said Children or
and their issue for any length of time which may in the opinion of my said
Trustees be necessary for rendering the said division or distribution more equal
and advantageous for all concerned providing as it is hereby provided and declared
that it shall be lawful to and in the power of any of my Sons who may
die after attaining the age of Puberty and before attaining Majority and in
the power of any of my daughters who may die unmarried after attaining the
age of Puberty and before receiving her share of my estate to bequeath at their
discretion to the extent of one thousand pounds Sterling each and no more
of their respective provisions to any person or persons they may think proper
to which bequest effect shall be given by my said Trustees in the final distribution
of my estate and quoad ultra it is hereby expressly provided and declared that
the share or shares of my said Estate falling to any of my said Children who
shall die without lawful issue of their bodies shall not be affectable by their debts
or deeds but shall accresce and pertain equally to the survivors or survivor of my
said Children and the lawful issue of any of them that may be deceased such
issue always coming as one in place of the deceased parent but such accresing shares
being subject always to the life rent of the said Lady Charlotte Anne Murray
Macgregor during her widowhood according to the proportion and subject to the
limitation and restriction before specified further it is hereby expressly provided that
in the event of any of my daughters being married ~~being~~ before the final
distribution of my estate then and in that case the daughter or daughters so
marrying shall be bound and obliged from and after the date of her or their
marriage to relinquish a certain proportion of the interest dividends or profits arising
from her or their share or shares of my Estate to and in favor of my
unmarried daughter or daughters to whom or for whose use and benefit the
same shall be paid or applied by my said Trustees so long as any of my said
daughters remain unmarried but no longer that is to say in case of two daughters
only existing at the same time the one married and the other single or unmarried
the married daughter and her husband shall be bound and obliged from and after

the

the date of their marriage provisionally to relinquish one half of the interest, dividends or profits arising from her share of my estate to and in favor of her unmarried sister so long as she remains unmarried but no longer in the case of three daughters only existing at the same time the married daughter or daughters shall in the same manner each of them and their husbands be bound and obliged provisionally to relinquish one third of the interest dividends ~~and~~ or profits arising to them respectively as aforesaid to and in favor of their unmarried sister or sisters so long as any of them remain unmarried but no longer and in the case of four or more daughters existing at the same time the married daughter or daughters shall in the same manner each of them and their husbands be bound and obliged provisionally to relinquish one fourth of the interest dividends or profits arising to them respectively as aforesaid to and in favor of their unmarried sister or sisters so long as any of them remain unmarried but no longer and lastly it is hereby provided that on the marriage of any of my daughters before receiving their respective shares of my Estate the share of each daughter so marrying shall be settled and secured on herself and her intended husband in conjunct life rent for their life rent use allenarly and on the Children of the marriage equally in fee payable to the said Children at the expiration or termination of the life rent of their parents Provided the said Children shall then have attained twenty one years of Age or in case they shall not have attained that Age then on their respectively attaining the same and failing the said Children or in case of Children existing but failing to attain twenty one years of age then the said share shall accresce and belong and be made payable to the survivors or survivor of my said Children equally among them and the issue of any of them that may be dead such issue always counting as one in place of the deceased parent as aforesaid but such accrescing shares being subject always to the life rent of the said Lady Charlotte Anne Murray MacGregor during her widowhood as aforesaid according to the proportion and subject to the limitation and restriction before specified and due regard being always had in every such marriage settlement to the provisional relinquishment of one half one third or one ~~third or one~~ fourth as the case may be of the interest dividends or profits of the share of my Estate belonging to the daughter so marrying and her husband in favor of her unmarried sister or sisters as above written And for the more effectually accomplishing the purposes of this trust I do hereby give the most full and unlimited powers to my said Trustees above named and the survivors or survivor acceptors or acceptor of them to grant leases of all or any part of the subjects generally or particularly above disponed of such endurance to such tenants and at such rents as to my said Trustees may seem proper as also to sell or feu all or any part of my lands and estate generally and particularly above conveyed and that either by Public Roup or private bargain as my said trustees may think fit and to grant all necessary and requisite dispositions Charters or other writs to the purchasers containing Clauses of absolute Warrandice upon me and my heirs and the said Purchasers shall have no concern the application of the price or prices of the said subjects but shall be sufficiently secured thereof by the simple receipts or discharges of my said trustees and the survivors or survivor of them in which lands houses and other heritable subjects above disponed I bind and oblige myself and my heirs and successors duly and lawfully to infeft and seize the said trustees and the survivors or survivor of them who shall accept and the heirs of such survivor but in trust always for the ends uses and purposes above mentioned and that by two several infeftments and manners of holding one thereof to be holden of me my heirs and successors in free blench for payment of a Penny Scots upon the Ground of each of the said subjects at Whitsunday yearly in name of blench ferme if asked only and freeing and relieving us of the duties and services payable by us for the same and the other of the said two infeftments to be holden from us of and under our immediate lawful superiors of the same in the same manner and as freely in all respects as I hold or may hold the same myself and that either by resignation or confirmation or both the one without prejudice of the other and for accomplishing the said

infeftment by resignation I hereby make and constitute
and each of them jointly and severally my lawful procurators for
me and in my name to compear before my immediate lawful superiors of the
lands houses and others above written and there to resign and surrender likeas I hereby
resign surrender upgive overgive and deliver All and whole the foresaid parts and portion
of the Lands of Trinity Mains All and whole the foresaid dwellinghouse in George
Street and All and whole the aforesaid piece of Stable ground with the dwellinghouse
Coachhouse and Stable built thereon with the whole parts pendicles and pertinents of said
subjects lying bounded and described in manner particularly before written and here held
as repeated Brevitatis Causa in favor and for new Infeftment of the same to be made
and granted to my said Trustees and to the survivors or survivor of them who may
accept and to the heirs of such survivor but in trust always for the ends uses and
purposes and with the powers hereinbefore mentioned in due and competent form as
effeirs acts instruments and documents in the premises to ask and take and generally
every other thing regarding the premises to do which I could have done myself before
granting hereof and which to the office of Procuratory in such Cases is known to
belong ratifying hereby and confirming whatever my said procurators shall
lawfully do or cause to be done in the premises in virtue hereof And further
I do hereby make and constitute my said Trustees above named and the survivors
or survivor of them my lawful Cessioners and Assignees not only in and to the
whole writs and evidents rights titles and securities of and concerning the lands
and others heritable and moveable above disponed with the whole clauses therein
contained and all that has followed or may be competent to follow thereon
but also in and to the whole Rents and duties that may become due forth of the
said lands and others from and after the period of my decease but in trust always for
the ends uses and purposes before expressed surrogating and substituting my said
Trustees in my full right and place of the premises And I do hereby nominate
and appoint my said Trustees and the survivors or survivor of them who shall
accept to be tutors and Curators to the lawful Children already procreated or
that may yet be procreated of my body and to their issue in so far as relates
to the distribution of my Estate during their respective pupilarities and minorities
any three of the said Tutors and Curators accepting and surviving being a quorum
with power in case of their being reduced to two or one to the said two or one
to act And I do hereby give full power and authority to my said Trustees and the
said Tutors and Curators to appoint Factors one or more to manage the affairs
hereby committed to their charge declaring always that my said Trustees shall
not be liable either as Trustees or in their Character of Tutors and Curators for
omissions or neglect of management and that they shall not be liable singuli
in solidum but each only for his own actual intromissions and that they shall
not be liable for any Factors to be named by them And farther I do hereby give
full power and authority to my said Trustees or their quorum or the survivor
of them to assume from time to time such other person or persons as they shall
think fit to be Trustees and Tutors and Curators along with them which Trustees
and Tutors and Curators so to be assumed shall have the same powers and privileges
as are hereby conferred on the last Trustees named by myself And I do hereby
reserve full power and liberty to myself at any time of my life to alter innovate and
revoke these presents in whole or in part but declaring that the same in so far as
not revoked or altered by me shall be a valid and effectual deed although found
lying in my repositories or in the Custody of any person to whom I may entrust
the same undelivered at the time of my death with the delivery whereof I have
dispensed and hereby dispense for ever And I consent to the registration hereof
in the books of Council and Session or any other Judges Books competent therein
to remain for preservation and for that effect I constitute Thomas Thomson Esquire
Advocate my Procurators moreover to the said end that my said Trustees may be
infeft in the heritable subjects particularly above disponed I hereby desire and require
and each of you conjunctly and severally my
you
Bailies in that part to the effect after mentioned hereby specially constituted that on

sight

Reference: PUBLIC RECORD OFFICE 1 2 3 4 5 6

right hereof ye pass to the ground of the lands and other heritages before disponed respectively and successively and there give and deliver to the said Trustees and the Survivors or Survivor acceptors or acceptor of them heritable state and sasine real and actual and corporal possession of all and sundry the lands and other heritages particularly before described and here held as repeated and that by delivery to the said trustees or their certain attorney or attornies in their name bearers hereof of earth and stone of and upon the ground of the said subjects respectively and all other symbols usual and necessary and this in nowise ye leave undone which to do I commit to you and each of you my bailies foresaid my full power by this my Precept of Sasine directed to you for that effect In Witness whereof these presents written on this and the fourteen preceding pages of stamped paper by David Thomas McCheyne Apprentice to Adam McCheyne Writer to the Signet are subscribed by me at Edinburgh the twenty third day of May one thousand eight hundred and twenty three before these witnesses the said Adam McCheyne and David Thomas McCheyne Signed Alexr. Murray MacGregor A McCheyne Witness David Thomas McCheyne Witness Extracted furth of the Records of the Court of Session in Scotland upon this and the thirty eight preceding pages of stamped paper by me Thomas Peat Writer to the Signet Keeper of the Records of Deeds &c. Conform to act of Parliament Thos Peat

Appeared Personally The Right Honorable Lady Charlotte Anne Murray MacGregor of Harrow Park in the County of Middlesex Widow and made Oath that she is the lawful Relict and one of the Executors named in the last Will and Testament of Alexander Murray MacGregor formerly Commandant of Point de Galle in the Island of Ceylon and late of Trinity Lodge in the County of Edinburgh in North Britain and of Harrow Park aforesaid Esquire a Major General in His Majesty's Army deceased bearing date the twenty third day of May one thousand eight hundred and twenty three and having now carefully viewed and perused the Official Copy of the said Will hereunto annexed beginning thus "At Edinburgh the fourth day of September eighteen hundred and twenty seven years" ending thus "by me Thomas Peat Writer to the Signet Keeper of the records of Deeds &c. Conform to Act of Parliament Thos Peat" and having observed a Clause appearing in the third side of the fourth sheet of the said Copy to the following effect to wit "And I appoint my said Trustees to deliver to the said Lady Charlotte Anne Murray MacGregor in case she shall happen to survive me my whole bed and table linen of every description together with certain Articles of Silver plate to be enumerated and contained in an Inventory thereof subscribed or to be subscribed by me as relative hereto which bed and table linen and silver plate shall be and the same are hereby placed at the absolute disposal of the said Lady Charlotte Anne Murray MacGregor" she further made Oath that she the Appearer hath since the death of the said deceased made diligent search amongst his papers of moment and concern as well as elsewhere but hath not been able to find any Inventory or paper writing of the nature referred to in the said recited Clause and that she verily believes that the said deceased left no such Inventory or paper writing nor any Codicil or other Testamentary disposition whatever save and except the said Will And she lastly made Oath that Sir Evan John Murray MacGregor Baronet her Co-Executor is now beyond the Seas Charlotte Anne Murray MacGregor On the 27th day of October 1827 the said Lady Charlotte Anne Murray MacGregor was duly sworn to the truth of this Affidavit by me John Daubeny Surr. Pres: Felix Slade Not Pub:

Proved at London 3rd November 1827 before the Worshipful Henry Vanne [illegible] Doctor of Laws and Surrogate by the Oaths of The Right Honorable Lady Charlotte Anne Murray MacGregor Widow the Relict and Sir Evan John Murray MacGregor Baronet two of the Executors to whom Administration was granted having been first sworn duly to Administer Power reserved to Alexander Nugent Murray MacGregor the Son The Right Honorable Alexander Earl of Caithness formerly Lord Berridale and John Alexander Paul MacGregor Esquire the other Executors Xd.